

AMENDED IN SENATE MAY 28, 2014  
AMENDED IN ASSEMBLY JANUARY 6, 2014  
AMENDED IN ASSEMBLY MARCH 14, 2013  
CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 510**

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**Introduced by Assembly Member Ammiano**

February 20, 2013

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An act to repeal and add Section 84511 of the Government Code, relating to the Political Reform Act of 1974.

LEGISLATIVE COUNSEL’S DIGEST

AB 510, as amended, Ammiano. Political Reform Act of 1974: advertisement disclosures.

The Political Reform Act of 1974 requires a committee that makes an expenditure of \$5,000 or more to an individual for his or her appearance in an advertisement to support or oppose the qualification, passage, or defeat of a ballot measure to file a report, as specified, and to include in the advertisement a statement regarding payment of the individual by the committee or its donors.

This bill would impose additional requirements on a committee that makes an expenditure of any amount to an individual for his or her appearance in an advertisement that supports or opposes the qualification, passage, or defeat of a ballot measure and that states or suggests that the individual is a member of an occupation that requires licensure, certification, or other specialized, documented training as a prerequisite to engage in that occupation. The bill would also require the committee to file a report that identifies, among other things, the individual’s occupation. The bill would require the committee to include

a specified disclosure statement in the advertisement indicating that the individuals are compensated spokespersons and not necessarily employed in the occupations portrayed. ~~The bill would authorize a committee to petition the Fair Political Practices Commission for a waiver of the disclosure statement requirement, which the Commission would be required to grant if prescribed conditions are satisfied portrayed, except as specified.~~

A violation of the act's provisions is punishable as a misdemeanor. By expanding the scope of an existing crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act's purposes upon a  $\frac{2}{3}$  vote of each house and compliance with specified procedural requirements.

This bill would declare that it furthers the purposes of the act.

Vote:  $\frac{2}{3}$ . Appropriation: no. Fiscal committee: yes.

State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 84511 of the Government Code is  
2 repealed.

3 SEC. 2. Section 84511 is added to the Government Code, to  
4 read:

5 84511. (a) This section applies to a committee that does either  
6 of the following:

7 (1) Makes an expenditure of five thousand dollars (\$5,000) or  
8 more to an individual for his or her appearance in an advertisement  
9 that supports or opposes the qualification, passage, or defeat of a  
10 ballot measure.

11 (2) Makes an expenditure of any amount to an individual for  
12 his or her appearance in an advertisement that supports or opposes  
13 the qualification, passage, or defeat of a ballot measure and that  
14 states or suggests that the individual is a member of an occupation

1 that requires licensure, certification, or other specialized,  
2 documented training as a prerequisite to engage in that occupation.

3 (b) A committee described in subdivision (a) shall file, within  
4 10 days of the expenditure, a report that includes all of the  
5 following:

6 (1) An identification of the measure that is the subject of the  
7 advertisement.

8 (2) The date of the expenditure.

9 (3) The amount of the expenditure.

10 (4) The name of the recipient of the expenditure.

11 (5) For a committee described in paragraph (2) of subdivision  
12 (a), the occupation of the recipient of the expenditure.

13 (c) An advertisement paid for by a committee described in  
14 paragraph (1) of subdivision (a) shall include a disclosure statement  
15 stating “(spokesperson’s name) is being paid by this campaign or  
16 its donors” in highly visible roman font shown continuously if the  
17 advertisement consists of printed or televised material, or spoken  
18 in a clearly audible format if the advertisement is a radio broadcast  
19 or telephonic message.

20 (d) (1) An advertisement paid for by a committee described in  
21 paragraph (2) of subdivision (a) shall include a disclosure statement  
22 stating “Persons portraying members of an occupation in this  
23 advertisement are compensated spokespersons not necessarily  
24 employed in those occupations” in highly visible roman font shown  
25 continuously if the advertisement consists of printed or televised  
26 material, or spoken in a clearly audible format if the advertisement  
27 is a radio broadcast or telephonic message.

28 (2) A committee may ~~petition the Commission for a waiver of~~  
29 ~~omit the disclosure statement required by this subdivision. The~~  
30 ~~Commission shall grant the waiver~~ *subdivision* if all of the  
31 following are satisfied with respect to each individual identified  
32 in the report filed pursuant to subdivision (b) for that advertisement:

33 (A) The occupation identified in the report is substantially  
34 similar to the occupation portrayed in the advertisement.

35 (B) The committee ~~submits~~ *maintains* credible documentation  
36 of the appropriate license, certification, or other training ~~to the~~  
37 ~~Commission~~ as evidence that the individual may engage in the  
38 occupation identified in the report and portrayed in the  
39 advertisement *and makes that documentation immediately available*  
40 *to the Commission upon request.*

1 SEC. 3. No reimbursement is required by this act pursuant to  
2 Section 6 of Article XIII B of the California Constitution because  
3 the only costs that may be incurred by a local agency or school  
4 district will be incurred because this act creates a new crime or  
5 infraction, eliminates a crime or infraction, or changes the penalty  
6 for a crime or infraction, within the meaning of Section 17556 of  
7 the Government Code, or changes the definition of a crime within  
8 the meaning of Section 6 of Article XIII B of the California  
9 Constitution.  
10 SEC. 4. The Legislature finds and declares that this bill furthers  
11 the purposes of the Political Reform Act of 1974 within the  
12 meaning of subdivision (a) of Section 81012 of the Government  
13 Code.